

7. After joining the Air Force in October 2000, I served on Active Duty before transitioning to full-time Active Guard Reserve positions with the Air Force Reserves. I've been deployed four times.

8. I have worked remotely at various times throughout my career, including during much of the COVID-19 pandemic.

9. My Air Force career has been entirely in the interest of military readiness, unit cohesion, good order, discipline, health, and safety.

10. I have served with distinction in duties that include being flight member and supervisor in missions both stateside and overseas, as well as being a weapons instructor, and a deployment manager.

11. Since the COVID-19 pandemic began, I have assiduously followed all COVID-19 related precautions, including masking, social distancing, and working remotely.

12. I have consistently and fully supported and sustained Defendants' interest in military readiness, unit cohesion, good order, discipline, health, and safety.

13. My current professional responsibilities do not involve personal engagement in physical operations or require extremely close proximity with other service members at all times.

14. Indeed, during the COVID-19 pandemic, I worked almost exclusively from home in a telework environment from approximately mid-2020 until mid-2021. I have since returned to in-person work for two to three days per week, and just recently, I was ordered to return to a full in-person, five-day work week with the rest of my co-workers.

15. In April 2021 I took a COVID-19 antibody test and tested positive for COVID-19 antibodies.

16. Seven months later, in November 2021, I took another COVID-19 antibody test and again tested positive for COVID-19 antibodies.

17. I am a member of the Christian faith, and the authoritative texts for my faith tradition are contained in the Holy Bible. My religious conscience is formed by biblical teachings, the advice of religious leaders, Scripture, and prayer.

18. Based on these sources, I believe Christians are to treat their bodies as a holy temple of God to glorify and Honor him, since the Bible teaches, “My body is not my own but one that belongs to an Almighty God,” (1 Corinthians 6:19), and, “My body is a temple for God and His Holy Spirit to dwell. I must maintain it . . . and take care not to damage it,” (1 Corinthians 3:16-17). Thus, I believe that submitting to mRNA vaccines violates this biblical mandate since it introduces a novel substance of unknown long-term effects into my body that takes over the body’s natural processes and is thus impure.

19. As a Christian, I also believe that all human life is sacred from the moment of conception, and thus I oppose abortion and all its pernicious effects. I thus also oppose the available COVID-19 vaccines because they were developed through use of or testing on aborted fetal cell lines. The only reason I did not expressly raise this objection in my September 2021 request for religious exemption (attached as Exhibit 1) is because my chaplain told me not to.

20. I do not oppose all vaccines. I oppose the currently available COVID-19 vaccines for religious reasons.

21. I am aware of the following military orders that purportedly require that I submit to COVID-19 vaccination:

- a. Department of Defense’s August 24, 2021 Order (Ex. 1 to Doc. 2-2);
- b. Department of Air Force’s September 3, 2021 Order (Ex. 2 to Doc. 2-2);

c. Department of Air Force's September 21, 2021 Order (attached as Exhibit 5);

22. I am aware of AFI 48-110 (Ex. 7 to Doc. 2-2), an Air Force Instruction.

23. The Air Force provided me and other service members with a form religious accommodation request (Ex. 9 to Doc. 2-2).

24. I timely sought, in writing, religious exemption from the Mandates and sought accommodation (attached as Exhibit 1 (request submitted September 23, 2021) Exhibit 3 (appeal submitted November 1, 2021), and Exhibit 3A (supplemental information submitted November 15, 2021)).

25. Defendants' responses to my accommodation requests are attached as Exhibit 2 (initial denial received by me no earlier than October 28, 2021) and Exhibit 4 (final denial received by me on January 7, 2022).

26. I am aware of reported information publicly available from the Air Force, including <https://www.af.mil/News/Article-Display/Article/2959594/daf-covid-19-statistics-march-29-2022/>, relating to religious accommodation requests.

27. Based on information publicly available from the Air Force, including <https://www.af.mil/News/Article-Display/Article/2959594/daf-covid-19-statistics-march-29-2022/>, I understand that the Air Force currently recognizes at least 1,102 medical accommodations.

28. Based on information publicly available from the Air Force, including <https://www.af.mil/News/Article-Display/Article/2959594/daf-covid-19-statistics-march-29-2022/>, I understand the Air Force currently recognizes at least 1,407 administrative accommodations.

29. Based on information publicly available from the Air Force, including <https://www.af.mil/News/Article-Display/Article/2959594/daf-covid-19-statistics-march-29-2022/>, I understand that at least 96.5% of Air Force service members have received COVID-19 vaccinations.

30. I am not aware of any military branch (including the Air Force, Navy, Army, Marines, and Coast Guard) granting any religious accommodation requests to service members not already slated for separation, and I'm aware that the Pentagon's Inspector General is investigating whether the military's process for considering and denying religious accommodation requests to COVID-19 vaccination complies with its own protocols. <https://www.military.com/daily-news/2022/03/02/pentagon-watchdog-investigate-militarys-covid-19-exemption-process.html>.

31. After receiving the final denial of my religious accommodation requests, I was given the following three options: (1) take the vaccine; (2) early retirement; (3) or face military discipline for disobeying the COVID-19 vaccine mandates. On January 12, 2022, I chose early retirement, under duress, with an effective retirement date of no later than June 1, 2022. However, I have been told that I have been placed in a "medical hold," meaning that I cannot begin the process of formal separation until an "evaluation" of my current health status is complete, which I have been informed could take "a while."

32. Until the putative effective date of my forced early retirement in June 2022, as a military service member I am still permitted to work from home and on base and to perform my normal work duties, even while unvaccinated, provided I abide by any applicable alternative COVID-19 precautions.

33. Currently my work unit is understaffed and task-saturated, and I believe none of the already limited personnel there is currently able or qualified to effectively take over my position. In my opinion, this may be a significant negative impact on military readiness for multiple years, which is especially dangerous to our national security at this war-torn time in the world, and forcing competent and capable unvaccinated service members such as myself to separate would exacerbate the problem.

34. As a service member in my position, I understand that service members with approved medical accommodations are permitted to work in person, indefinitely, with no forced early retirement or other adverse employment consequences.

35. If I had not been forced into early retirement in 2022, I understand I could have retired in a later year with full active-duty benefits and privileges. I stand to lose several hundreds of thousands of dollars in lost pay, not counting the value of lost benefits including medical benefits.

36. It is more important to me to remain faithful to my Christian faith than to violate my religiously formed conscience for the sake of work and compensation.

37. The Mandates have lowered my morale as a service member by forcing me to choose between my faith and my livelihood. I personally know other Air Force service members who have expressed to me that the Mandates have lowered their morale for the same reasons.

38. I have continued to maintain protocols for health and safety, and to my knowledge I have not transmitted COVID-19 to others.

39. Based on Facebook comments that I am aware of related to the WMAZ and WGXA news reports about Air Force Officer and this case (Docs. 48 and 49), and based on numerous other public statements made by individuals in government or the media that are critical

of people not taking the COVID-19 vaccine, I am concerned about serious social stigmatization and my personal safety and security.

40. I have talked with others in the military who expressed to me that they want to speak out in opposition to the vaccine mandates but are afraid to do so.

41. The attached exhibits are redacted to remove some personal identifiers.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 30, 2022.

/s/Air Force NCO
Air Force NCO